

MAIL STOP NON FEE RESPONSE
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450



Image 1771

Re: Our File: RELIANT 3.0-001 Group Art Unit: 1771

Applicant: ARNOLD M. SHULMAN

Serial No.: 10/004,268

Examiner: ARTI SINGH

Filed: 11/02/01

For: MOISTURE-RESISTANT, SHAPE-RETAINING Batch No.:

FABRIC, RIBBON AND BOW AND PROCESS FOR
MANUFACTURING SAME

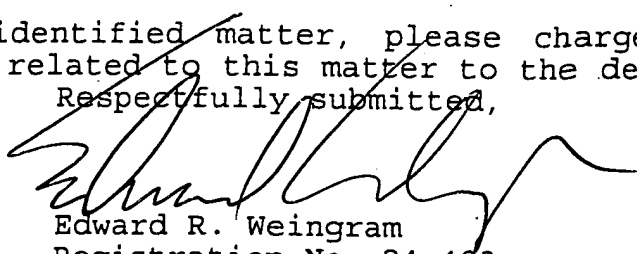
Dear Sir:

Enclosed for filing in the United States Patent and Trademark Office is the following:

- | | |
|--|---|
| <input checked="" type="checkbox"/> Law Firm Transmittal Letter & COPY | <input type="checkbox"/> Letter/Official Draftsmen |
| <input checked="" type="checkbox"/> Response/Amendment to RESTRICTION AGMT. | <input type="checkbox"/> Petition |
| <input type="checkbox"/> Affidavit/Declaration | <input type="checkbox"/> Request for Ext. of Time |
| <input type="checkbox"/> Notice of Appeal | <input type="checkbox"/> Small Entity Statement(s) |
| <input type="checkbox"/> Assignment and cover sheet | <input checked="" type="checkbox"/> Postcard acknowledging receipt of above-identified material |
| <input type="checkbox"/> Certificate of Correction | |
| <input type="checkbox"/> Check No. _____ - \$ _____ | |
| <input type="checkbox"/> Claim of Priority - Cert'd Copies | |
| <input type="checkbox"/> Communication | |
| <input type="checkbox"/> Drawings _____ sheets - | |
| Formal/Informal | |
| <input type="checkbox"/> Issue Fee/Maintenance Fee | |
| <input type="checkbox"/> Information Disclosure Statement; Reference, Tabs - | |

Conditional Petition and Fee for Extension of Time: If any extension of time for the accompanying response is required, applicant requests that this be considered a petition therefor.

In connection with the above-identified matter, please charge any additional fees or any other charges related to this matter to the deposit account of the writer, No. 23-0812. Respectfully submitted,

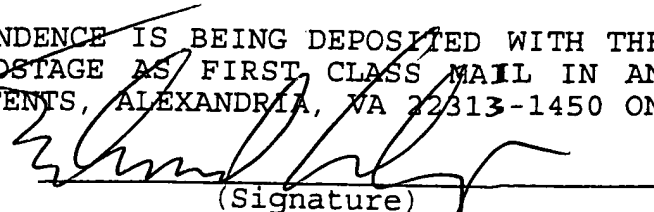

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Enclosures

DATED: 3/4/04

I HEREBY CERTIFY THAT THIS CORRESPONDENCE IS BEING DEPOSITED WITH THE U.S. POSTAL SERVICE WITH SUFFICIENT POSTAGE AS FIRST CLASS MAIL IN AN ENVELOPE ADDRESSED TO: COMMISSIONER OF PATENTS, ALEXANDRIA, VA 22313-1450 ON

DATE: 3/4/04


(Signature)

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RESISTANT 3.00-002
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PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Arnold M. Shulman
Serial No.: 10/004,268
Filed: November 2, 2001
For: Moisture-Resistant, Shape-Retaining Fabric, Ribbon
and Bow and Process For Manufacturing Same

Examiner: Arti Singh
Group Art Unit: 1771

Honorable Commissioner of
Patents and Trademarks
M.S. Non Fee Response
Washington, D.C. 20231

RESPONSE TO RESTRICTION REQUIREMENT

Sir:

Responsive to the second restriction requirement mailed February 19 2004, applicant provisionally elects, with traverse, Claims 19-23 of Group II at this time.

REMARKS

The undersigned counsel expresses her thanks to the Examiner for her courtesy during a telephone conference on March 3, 2004 regarding the restriction requirement.

As discussed, applicant elected Group II (Claims 19-23), with traverse, for examination in its response to the first Restriction Requirement mailed August 26, 2003. The Examiner explained that the second Restriction Requirement sets forth a different basis for restriction than the first Restriction Requirement, and therefore, applicant's prior election was not effective. The Examiner further indicated that a written response to the second Restriction Requirement was required.

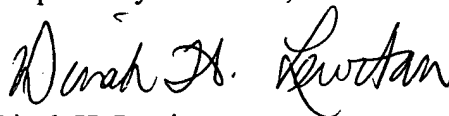
Accordingly, applicant hereby elects Group II, Claims 19-23, with traverse, for examination at this time.

Even if the Examiner were to persist in the belief that these two groups of claims should be restricted, it is worth noting that the Manual of Patent Examining Procedure states:

If the search and examination of an entire application can be made without serious burden, the Examiner must examine it on the merits, even if it includes claims to distinct or independent inventions. [MPEP 803, emphasis added].

In view of the above remarks, it is respectfully submitted that the requirement for restriction is unsustainable and should be withdrawn. Reconsideration of the restriction requirement and examination of all the claims on their merits is earnestly requested.

Respectfully submitted,



Dated: March 4, 2004

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